

TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW 12400 WILSHIRE BOULEVARD, 7th FLOOR LOS ANGELES, CA 90025

FACSIMILE: (714) 557-3347

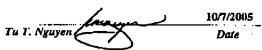
2005 FOT | | | | | | | | | | | | | | | | | |

US PATENT & TRACEISAR CATICE

FACSIMILE COVER SHEET

Oeliver to: <u>.Refunds, USPTO</u>	Art Group: 2143						
Facsimile No.: 571 273 6500	Date: October 7, 2005_						
From: Thinh V. Nguyen, Reg. No. 42	2.034						
Our Docket No.: 82771P279	Number of pages8including this sheet.						
Application No.: 09/222,340	Filing Date: 12/28/1998						
Enclosed are the following documents:	Docket Due Date(s):						
☐ Amendment: (pgs)	☐ Issue Fee Transmittat						
Appeal Brief (pgs)	☐ Notice of Appeal						
Application:	Petition for:						
(pgs) w/cover & abstract) Assignment & Cover Sheet (pgs) Certificate of Eacsimile Continued Prosecution Application (CPA)	☐ Request for Continued Examination (RCE)						
Assignment & Cover Sheet (pgs)	Reply Brief (pgs)						
☐ ☑ Certificate of Eacsimile	☐ Request & Certification Under 35 USC 122(b)(2)(B)(I)						
Continued Prosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request						
Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter						
☐ Orawings:sheets, figures	☐ Response to Written Opinion (pgs)						
Extension of Time:	☐ Yerminal Disclaimer						
Fee Transmittal (in duplicate)	☐ Transmittal of Publication Fee Dus						
DS & PTO/SB/08 (pgs)							
Other - Refund Request - copy of Monthy Statement							
	NG/TRANSMISSION (37 CFR 1.8A)						

I hereby vertify that this correspondence is being stransmitted by facsimile on the date shown below to the United State: Patent and Trademark Office.



Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (714) 557-3800 and ask for Tu T. Nguyen.

PAGE 1/8 * RCVD AT 10/7/2005 6:11:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/32 * DNIS:2736500 * CSID:7145573347 * DURATION (ram-ss):02-14



PATE TANDED MICE

2005 OCT 11 81 3: 39

			Application No.	09/222,340 US FAICHT
TRAN	SMITTAL F	ORM	Filing Date	December 28, 1998
			First Named Inventor	William F. Terrell
			Art Unit	2143
			Examiner Name	William C. Vaughn Jr.
Total Number of	Pages In This Submiss	sion 7	Attorney Docket Number	or 82771P279
	ENCLO	SURES (chec	k all that apply)	
Fee Transmitte	I Form	Drawing(s)		After Allowance Communication to Group
Fee Atta	ched	☐ Ucensing-r	elated Papers	Appeal Communication to Board of Appeals and Interferences
Amendment / F	lesponse	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Fin	al Vdeclaration(s)	Petition to (Convert a Application	Proprietary Information
Extension of Ti	ne Request	Power of Al Change of	ttorney, Revocation Correspondence Address	<u> </u>
Express Aband	onment Request	Terminal Di	sclaimer	Other Enclosure(s) (please Identify below):
	closure Statement	Request for	Refund	-Refund Request -copy of monthly statement
PTO/SB/	-	CD. Numbe	r of CD(s)	
Certified Copy of Document(s)			•	
=	: Filing Fee	Remarks		
	aration/POA			
Parts und	e to Missing ler 37 CFR 53			
	SIGNATUR	E OF APPLICAN	T, ATTORNEY, OR A	GENT
irm	Thinh V. Nguye	n, Reg. No. 42	.034	
or ndividual name	,	_	AYLOR & ZAFN	IAN Y.I.P
lignature	When			
ate	October 7, 200			
	CERTIFI	CATE OF MAILI	NG/TRANSMISSION	
ereby certify that thi adomark Office.				wn below to the United Statos Patent and
yped or printed na	me Tu T. Nguyer	n		
Signature	loon			Date October 7, 2005

PAGE 2/8 * RCVD AT 10/7/2005 6:11:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/32 * DNS:2736500 * CSID:7145573347 * DURATION (mm-ss):02-14

PATENT AND

						Complete i	Known	200	STOLL !		
FEE TRANSMITTAL					Application Num		222,340		1 (5)		
	fo	r FY :	200	5	Filing Date	1 0.27	cember 28,	1998	20 07 15		
		are subject to			First Named Inve		lliam F. To		1711 P		
Applicar	nt claims so	nall entity s	tatus. S	e 37 CFR 1.27.	Examiner Name	† Wi	lliam C. Va		0		
TOTAL A	MOUNT O	F PAYMEN	п	(\$)	Art Unit Attorney Docket	No. 214	13 71P279		<u> </u>		
METHO	OF PAY	MENT (c	heck all	that apply)							
□Check □	□Check □Credit card □ Money Order □Nune □Other (please identify):										
Deposit Account Deposit Account Number. 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP											
				count, the Director is	hereby authorized	tor (check all tha	t anniv)		-		
	rge fec(s)			ound me bireckii iki		fee(s) indicated b		t for the filing	z fee		
				r underpayment of fe	= ·	any overpayments	-				
טמט	er 37 CFI	R 88 1.16,	1.17, 1	.18 and 1.20.							
FEE CALCU	LATION										
Large Er	ntitu	Şmall	Entity			-	. —				
Fee	Fee	Fee	Fee	•							
Code	(\$)	Code	(\$)	Fee Descript	ion			Fee	Paid		
1051	130	2051		Suraharaa lat	a filiaa faa ar	004b					
1052	50	2052		Surcharge - lat	_		المحظم ممين	.			
2053	130	2053		Surcharge - late	•	imig tee or co	over snee	·			
1261	120	2251		Non-English sp				ļ			
1262	450	2252	995	Extension for re	· -			<u> </u>			
1253	1,020	2252		Extension for re				 			
1254	1,590	2254		Extension for re					}		
1255	2,160	2255		Extension for re							
1401	500	2401		Extension for re		n month			📊		
1402	500	2401		Notice of Appe							
1402				Filing a brief in		appeal		<u> </u>			
1451	1,000	2403	500	Request for ora				<u> </u>	/ [
1451	130	2451 2450	420	Petition to instit			9				
1807	50			Petitions to the							
		1807		Processing fee		1	_				
1806	180	1806		Submission of I			-	. 1.			
1809	790	1809		Filing a submissi		-		••	11		
1810	790	2810	395	For each addition	nal invention to	be examined	(37 CFR § 1.	129(b))			
Other fe	e (spe	ify) _					10 11 11				
						SUBT	OTAL (2)	(\$)			
SUBMITTE	ВУ						Cama	lete (if apolicat			
Name (Polyno		h V. Ngu	ven		Registration No.	42,034	Telephone	(714) 557			
	I		,		(Altomey/Agent)	74,UJ4	· alahimina	しくしょうかかし	-2000		

Based on PTO/SB/17 (12-04) as modified by Billiony, Sillukoff, Taylor & Zahman (wir) 12/15/2004, SEND TO: Commissions for Enterty 90, Day 1400 Alexander 14, 2000 1400

PAGE 3/8 * RCVD AT 10/7/2005 6:11:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/32 * DNIS:2736500 * CSID:7145573347 * DURATION (mm-ss):02-14

10/07/05

PATEMI LIMBUT DINGE DINGLE :

						A	- 44 1/	SAZ OUT 11
FE	EE TF	RAN	SMI	TTAL	Application Num		e tt Known 9/222,340	
		FY			Filing Date			1998JS PATENT & (
		are subject to		_	First Named Inv		Villiam F. Te	
Applicant claims small entity status. See 37 CFR 1.27.					Examiner Name		Villiam C. Va	
	MOUNT O			(\$)	Art Unit		143	
101262	iaccit; C			(0)	Alterney Docket	No. 82	27712279	
		<u> </u>		i that apply)	· · ·			
			-		Other (please ide	ntify):		
Deposit A	count D	Deposit A	ccount)	Number: <u>02-2666</u>	Deposit Account	Name: Blakely,	Sokoloff, Tay	ylor & Zafman LLP
For the a	bove-ider	nified dep	osit ac	count, the Director is	hereby authorize	d to: (check all ti	hat apply)	
☐ Cha	rge fec(s)	indicated	l below	•	Charge			t for the filing fee
				r underpayment of fe	oc(s) 🔀 Credit	any overpaymes	ıts	
und	er 37 CFF	₹ ₹ 1.16,	1.17, 1	.18 and 1.20.				
FEE CALCU	LATION							
Large En	tity	Small	Entit	,				
Fee	Fee	Fee	Fee	•				
Code	(\$)	Code	(\$)	Fee Descript	tion			Fee Paid
1051	130	2051		Curoborgo lo	to filling for a	aath		[
1052	50	2052		Surcharge - la	_			.
				Surcharge - lat		ruing tee or o	cover snee	1.
2053	130	2053		Non-English s				
1251	120	2251		Extension for r				
1252	450	2252		Extension for r	• •			
1253	1,020	2253		Extension for r				
1254	1,590	2254		Extension for re				
1255	2,160	2255		Extension for re		h month		
1401	500	2401		Notice of Appe				
1402	500	2402	250	Filing a brief in	support of ar	appeal		
1403	1,000	2403		Request for ora		- ,		
1451	ļ	2451		Petition to insti	_	ise proceedi	na	
1460	130	2460	130	Petitions to the	•	•	. 4	
1807	50	1807		Processing fee				
1806	180	1808		Submission of			mt	
1809	790	1809		Filing a submissi				
1810	790	2810		For each addition		•	-	
Other fe				Or Bacil Edunio	iidi iiiveiilioli iÇ	DA AYGUMDEL	1 (3/ CFM § 1.	.129(0))
Outer le	e (shec	עצייי —						(0)
						SUE	STOTAL (2)) [(\$)]
SUBMITTE	BY						Comp	plate (if applicable)
Name (Printtype	Thinh	V. Nguy	'en		Registration No. (Attorney/Agent)	42,034	Telaphone	(714) 557-3800
Signature	T U	(Dh.	*	<u> </u>			Dale	10/07/05
	<i></i>	 7/	-//~	aylor & Zalman (wig 12/15/200			Paid	

PAGE 4/8 * RCVD AT 10/7/2005 6:11:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/32 * DNIS:2736500 * CSID:7145573347 * DURATION (mm-ss):02-14

	PATE 11 82771P279	TWOE
Docket No.:	8277 1P279; "	•

2005 OCT 11 111 3: 39

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Rc the Application of:

WILLIAM F. TERRELL, ET AL.

Application No.: 09/222,340

Filing Date:

Dccember 28, 1998

For: Method and Apparatus for Dynamically

Controlling the Provision of Differentiated

Services

Art Group: 2143

Examiner: .Refunds

Mail Stop 16 Director of the US Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR REFUND (IMPROPER CHARGE OF DEPOSIT ACCOUNT)

J. REFUND REQUEST

This is a request for refund, with respect to the charge to Deposit Account 02-2666, shown on the statement dated, for the above-identified

application.

patent

(check the following, if desired, and supply copy of statement)

A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

827711°279

Page 1 of 3

PAGE 5/8 * RCVD AT 10/7/2005 6:11:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/32 * DNIS:2736500 * CSID:7145573347 * DURATION (mm-ss):02-14

EES CHARGED FOR WHICH REFUND REQUESTED	AMOUNT OF REFUND REQUESTED
Filling fee	
Surcharge for filing the basic filing fee on a date later than the filing dute of the application (37 C.F.R. 1/16(e))	
Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. 1.16(e))	
Extension of term	**
irst month	
second month [third month	
fourth month	
[] fifth month	
Excess claims	
☐ Issuc fee	
Petition fee	
Patent maintenance fee	
first maintenance fee second maintenance fee	
third maintenance fee	
• •	
Patent maintenance fee surcharge	330.00
Other Extensions of Time Difference (2-months \$450 and 1-month \$120)	
184	
TOTAL REFUND REQUESTED	330.00
EXPLANATION OF WHY CONTESTED CHARGE IS IN ERI	ROR
04-13-2005 Final Office Action	
06-09-2005 Response to Final Office Action	
07-20-2005 Advisory Action	
08-16-2005 Notice of Appeal (1st Extension)	
Applicant filed a response to the final Office Action on June 9, 2005	before the 2-mo
deadline of June 13, 2005. The Examiner issued an Advisory Action	
after the 3-month deadline of July 13, 2005. Therefore, according to	
fee for the extension of time should be calculated from the date the E	
	
Advisory Action, which is July 20, 2005. The notice of appeal was f	iled on August 1

827711279

Page 2 of 3

PAGE 6/8 * RCVD AT 10/7/2005 6:11:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/32 * DNIS:2736500 * CSID:7145573347 * DURATION (mm-ss):02-14

TV.	MANNER	OF	REF	UND
-----	--------	-----------	-----	-----

Please make refund by

☑ crediting Account No. 02-2666

refunding payment.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: October 07, 2005

Thinh V. Ngoyen, Reg. No. 42,034

12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 Telephone: (714) 557-3800

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

Tu T Nouven

10/07/05

Date

82771P279

Page 3 of 3

Deposit	Account	Statement
---------	---------	-----------

Page	4	of	10
rage	4	Oì	Y O

	09/12	1054		8021	\$40.00	\$54,019.62
	09/13		•	1251	\$120.00	\$53,899.62
	09/13			9203	-\$83,883.00	\$137,782.62
	09/13			1201	\$600.00	\$137,182.62
	09/13			6201	\$400.00	\$136,782.62
	09/13			1814	\$130.00	\$136,652.62
	09/13			6205	\$100.00	\$136,552.62
	09/13			8021	\$40.00	\$136,512.62
	09/13		•	7205	\$100.00	\$136,412.62
	09/13			7208	\$200.00	\$136,212.62
	09/13			8021	\$40.00	\$136,172.62
	09/13			1801	\$780.00	\$135,382.62
	09/13			1251	\$120.00	\$135,262.62
	09/13			8503	\$15.00	\$135,247.62
	09/13			7001	\$325.00	\$134,922.62
		702		7001	\$650.00	\$134,272.62
	09/13			7004	\$150.00	\$134,122.62
		1645		7004	\$150.00	\$133,972.62
	09/14			1252	\$330.00	\$133,642.62
	09/14			1201	\$800.00	\$132,842.62
	09/14	•		1453	\$1,500.00	\$131,342.62
	09/14			1401	\$500.00	\$130,842.62
	09/14	4		8021	\$40.00	\$130,802.62
	09/14	4		1814	\$130.00	\$130,672.62
	09/14	5		1203	\$360.00	\$130,312.62
	09/14	23		6001	\$375.00	\$129,937.62
	09/14	61		8007	\$40.00	\$129,897.62
	09/14	66		8007	\$40.00	\$129,857.62
	09/14	80		1051	\$130.00	\$129,727.62
	09/14	85		1051	\$130.00	\$129,597.62
	09/14		•	8007	\$20.00	\$129,577.62
	09/14			8021	\$40.00	\$129,537.62
	09/14			7001	\$325.00	\$129,212.62
	09/14			7001	\$325.00	\$128,887.62
	09/14	755 ,		7001	\$1,625.00	\$127,262.62
		1738	•	7001	\$325.00	\$126,937.62
		1854		7001	\$325.00	\$126,612.62
	09/15	•		1251	\$120.00	\$126,492.62
	09/15	1		1801	\$790.00	\$125,702.82
	09/15			1202	\$150.00	\$125,552.62
	09/15			9204	-\$1,400.00	\$126,952.62
2	09/15		82771.P279	1252	\$450.00	\$126,502.62
	09/15			7205	\$200.00	\$126,302.62
	09/15			1253	\$1,020.00	\$125,282.62
	09/15			9204	-\$50.00	\$125,332.62
	09/15			7201	\$800.00	\$124,532.62 \$123,742.62
	09/15			1801	\$790.00	•
	09/15	13		9204	-\$1,730.00	\$125,472.62

PAGE 8/8 * RCVD AT 107/2005 6:11:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/32 * DNIS:2736500 * CSID:7145573347 * DURATION (mm-ss):02-147/2005

United States Patent and Trademark Office
 Sales Receipt -

09/15/2005 CCURTIS 00000005 022666 09222340

01 FC:1252

450.00 DA

Adjustment Date: 11/18/2005 SDIRETA1 097/15/2005 CCURTIS 00000005 022666 09222340 01 FC:1252 450.00 CR

11/18/2005 SDIRETA1 00000010 022666 09222340 01 FC:1251 120.00 DA

RECEIVED
CENTRAL RAY GENERAL

Alic	1	c	2005

		3 4 4 1	33.615				Comple	e d Krosn	
FEE TRANSMITTAL						Application Numb		9/222,340	
ļ	fo	r FY :	200!	5	•	Filtro Debo	Ī	December 28,	1998
	Partners Tours	en schid b	ernet eri	atora.		First Named Invest Examiner Name		Villiam F. Ter	
Applicar	Applicant claims email entity status. See 37 CFA 1.27.							Villiam C. Va 143	ughn Jr.
TOTAL AMOUNT OF PAYMENT (\$) 500.0						Art Unit Alterney Docket F		2771 <u>P279</u>	—· ————
	_=		ئست						
				that eppty)					
				rder Nor		Other (please idea		Calculade Tox	for & Zafman LLP
				iumber: 02-2		•			No is a simple seek
For the	bove-ide	nified dep	onsiz acc	ount, the Dir	sector is p	ereby authorized	to: (CDOCK 41) \ fee(s) indicates	maz appry) d below, except	for the filing fee
200	rige ree(s)	indicared	CONTRACTOR OF	underpayme	of Ford				
250	urge ony o ler 37 CPP	R 66 1.16	1.17.1	.18 and 1.20.	HM 00 100	a Breaks	ву ометраудае	44	
FEE CALCU									
PEE CALLO									
Large Er	athy	Small	Entity						•
Fee	Fee	Fee	Fee	Eoo ∩	escriptic	on .		•	Fee Paid
Code	(\$)	Code	(\$)	רסט על	- owihin	· ·			100100
1051	130	2051	65	Surcharg	je - late	filing fee or	oath		
1052	50	2052	25	Surcharg	je - late	provisional f	iling fee or	cover sheet	
2053	130	2053	130	Non-Eng	ilsh spi	ecification			
1251	120	2251				ply within firs			
1252	450	2252				ply within sec		1	
1253	1,020	2253	510			ply within thir			
1254	1,590	2264	796			ply within fou			
1255	2,160	2255	1,080	Extension	n for re	ply within fifth	month		
1401	500	2401	250	Notice of					500.00
1402	500	2402	250	Filing a t	rief in s	support of an	appeal		
1403	1,000	2403	500	1104000					
1451		2451				ute a public u		ting	.
1460	130	2460				Commissione			L
1807	50	1807				under 37 CFI			<u> </u>
1808	180	1806				nformation Di			
1809	790	1809				on after final re			
1810	790	2810	395	For each	addition	al invention to	be examine	od (97 CFR § 1.	,120(b))
Other fr	ee (spe	city) _							
	• •	• •					SU	BTOTAL (2)	(\$) 500.00
									deta (il eppirable)
SUBMITTE		N 77 N				Registration No.	42.034	Tataghone	(714) 557-3800
Name (Heart)		AV. Ngu	ya			(Attorney/Property	46,034	Date	08/16/05
	1 7 74	7 L	4	,				i Date	

PAGE 25 'RCVD AT SHAZOUS SADIAD PM (Eastern DaySight Time) 'SVICUSPTO-EFXRF-404 'DNB-2778300 'CSID:7145573347 'DURATION (man-cs):51-58